

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|---------------------------------|---|-----------------------------|
| KEVIN L. DICKENS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 04-201-JJF |
| |) | |
| STAN TAYLOR, PAUL HOWARD, |) | |
| RICHARD SEIFERT, ANTHONY |) | |
| RENDINA, JOHN RYAN, MIKE |) | |
| LITTLE, JOE HUDSON, MS. HAVEL, |) | |
| CPL. ONEY, TOM CARROLL, BETTY |) | |
| BURRIS, DEP. WARDEN MCGUIGAN, |) | |
| MAJOR CUNNINGHAM, CAPT SAGERS, |) | |
| CAPT. BELANGER, STAFF LT. |) | |
| WILLIAMS, STAFF LT BURTON, LT. |) | |
| SAVAGE, LISE MERSON, SGT. |) | |
| EVANS, SGT. MORAN, C/O HARRIS, |) | |
| SGT. TYSON, C/O NEAL, QRT 1 ET |) | |
| AL., LT. STANTON, C/O GARDELS, |) | |
| LT. HARVEY, LT. SECORD, LT. |) | |
| WELCOME, C/O RAINEY, QRT 2 ET |) | |
| AL., JAYME JACKSON, LT. PORTER, |) | |
| CPL. KROMKA, COUNSELOR KROMKA, |) | |
| KRAMER, ZANDA, BRIAN ENGRAM, |) | |
| RON DRAKE, MAJOR HOLMAN, FIRST |) | |
| CORRECTIONAL MEDICAL, DR. |) | |
| ARRONBURL, BRENDA HOLWERDA, |) | |
| COURTNEY DOE, CINDY DOE, |) | |
| MEDICAL DIRECTOR, DELAWARE |) | |
| CENTER FOR JUSTICE, SHAKEERAH |) | |
| HAIKAL, CAMILLE PRINGLE, |) | |
| LITTLETON MITCHELL, and FRANK |) | |
| SCARPETTI, |) | |
| |) | |
| Defendants. |) | |

ORDER

WHEREAS, plaintiff, Kevin Dickens, SBI #256265 is a
prisoner incarcerated at the Delaware Correctional Center in

Smyrna, Delaware, and on April 1, 2004, plaintiff filed a complaint under 42 U.S.C. § 1983, along with an application to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 and a certified copy of his trust account statement;

WHEREAS, on July 21, 2004, this Court entered an order requiring plaintiff to complete and return a United States Marshal 285 (USM) Form for each defendant within 120 days or the complaint would be dismissed (D.I. 9);

WHEREAS, on October 21, 2004, this Court inadvertently dismissed plaintiff's complaint (D.I. 10);

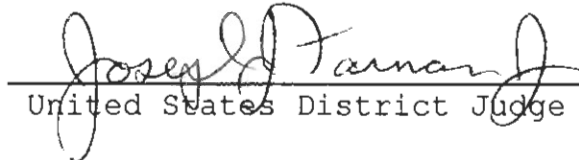
WHEREAS, on November 16, 2004, this Court received plaintiff's motion for an extension of time to file the USM 285 Forms (D.I. 11);

WHEREAS, on November 22, 2004, this Court received plaintiff's "motion with proposed order to amend" which the Court construes as a motion for reconsideration, requesting that the court relieve plaintiff from the requirement of providing one copy of the complaint for each defendant due to plaintiff's status as a pauper (D.I. 13);

WHEREAS, on December 21, 2004, this Court received plaintiff's second motion for an extension of time to file the USM 285 Forms and complaints required for service (D.I. 15);

THEREFORE, at Wilmington this 22 day of August, 2005, IT IS ORDERED that the plaintiff's request is GRANTED. The plaintiff shall complete and return to the Clerk of the Court an

original "U.S. Marshal-285" form for each defendant, as well as for the Attorney General of the State of Delaware, 820 N. FRENCH STREET, WILMINGTON, DELAWARE, 19801, pursuant to DEL. CODE ANN. tit. 10 § 3103(c). Additionally, the plaintiff shall provide the Court with one copy of the complaint for service upon the defendants. Furthermore, the plaintiff is notified that the United States Marshal will not serve the complaint until all "U.S. Marshal 285" forms for have been received by the Clerk of the Court. Failure to provide the "U.S. Marshal 285" forms for each defendant and the attorney general within 120 days of this order may result in the complaint being dismissed or defendants being dismissed pursuant to Federal Rule of Civil Procedure 4(m).


United States District Judge